

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

DISTRICT OF COLUMBIA

CENTER FOR BIOLOGICAL DIVERSITY,  
DEFENDERS OF WILDLIFE, ANIMAL LEGAL  
DEFENSE FUND

*Plaintiff(s)*

v.

DONALD TRUMP, in his official capacity as U.S.  
President, PATRICK M. SHANAHAN, in his official  
capacity as acting Secretary of Defense, et al.

*Defendant(s)*

Civil Action No. 19-cv-00408-TNM

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* The Honorable David Bernhardt  
Acting Secretary of Interior  
DEPARTMENT OF INTERIOR  
1849 C St., NW  
Washington, D.C. 20240

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

CENTER FOR BIOLOGICAL DIVERSITY  
ATTN: BRIAN SEGEE  
660 S. Figueroa Street, Suite 1000  
Los Angeles, CA 90017-3464  
bsegee@biologicaldiversity.org

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



CLERK OF COURT

Date: 02/19/2019

/s/ Elizabeth A. Fernandez

Signature of Clerk or Deputy Clerk

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for the

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*Defendant(s)*

Civil Action No. 19-cv-00408-TNM

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* United States Attorney for the District of Columbia  
U.S. District Attorney's Office  
Judiciary Square  
555 4th Street N.W.  
Washington, D.C. 20530

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

CENTER FOR BIOLOGICAL DIVERSITY  
ATTN: BRIAN SEGEE  
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*Defendant(s)*

Civil Action No. 19-cv-00408-TNM

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* The Honorable Steven Mnuchin  
Secretary of the Department of Treasury  
DEPARTMENT OF TREASURY  
1600 Pennsylvania Ave., N.W.  
Washington, D.C. 20220

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

CENTER FOR BIOLOGICAL DIVERSITY  
ATTN: BRIAN SEGEE  
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bsegee@biologicaldiversity.org

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/s/ Elizabeth A. Fernandez

Signature of Clerk or Deputy Clerk

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*Defendant(s)*

Civil Action No. 19-cv-00408-TNM

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* The Honorable Kirstjen M. Nielsen  
Secretary of Homeland Security  
U.S. DEPARTMENT OF HOMELAND SECURITY  
245 Murray Lane S.W.  
Washington, D.C. 20528

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

CENTER FOR BIOLOGICAL DIVERSITY  
ATTN: BRIAN SEGEE  
660 S. Figueroa Street, Suite 1000  
Los Angeles, CA 90017-3464  
bsegee@biologicaldiversity.org

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/s/ Elizabeth A. Fernandez

Signature of Clerk or Deputy Clerk

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*Plaintiff(s)*

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*Defendant(s)*

Civil Action No. 19-cv-00408-TNM

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* The Honorable Patrick M. Shanahan  
Acting Secretary of Defense  
DEPARTMENT OF DEFENSE  
1000 Defense Pentagon  
Washington, D.C. 20301-1000

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

CENTER FOR BIOLOGICAL DIVERSITY  
ATTN: BRIAN SEGEE  
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*Defendant(s)*

Civil Action No. 19-cv-00408-TNM

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* President Donald J. Trump  
WHITE HOUSE  
1600 Pennsylvania Ave NW  
Washington, D.C. 20500

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

CENTER FOR BIOLOGICAL DIVERSITY  
ATTN: BRIAN SEGEE  
660 S. Figueroa Street, Suite 1000  
Los Angeles, CA 90017-3464  
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*Defendant(s)*

Civil Action No. 19-cv-00408-TNM

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* UNITED STATES ATTORNEY GENERAL  
950 PENNSYLVANIA AVENUE, NW  
WASHINGTON, D.C. 20530-0001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

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Date: 02/19/2019

/s/ Elizabeth A. Fernandez

Signature of Clerk or Deputy Clerk

# UNITED STATES DISTRICT COURT

for the

<i>Plaintiff</i> v. <div style="border-bottom: 1px solid black; text-align: center; margin-top: 10px;"><i>Defendant</i></div>	) ) ) ) )	Civil Action No.
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## NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

*Notice of a magistrate judge's availability.* A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

*Consent to a magistrate judge's authority.* The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

<i>Parties' printed names</i>	<i>Signatures of parties or attorneys</i>	<i>Dates</i>

### Reference Order

**IT IS ORDERED:** This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date: \_\_\_\_\_

\_\_\_\_\_  
*District Judge's signature*

\_\_\_\_\_  
*Printed name and title*

**Note:** Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.

**UNITED STATES DISTRICT AND BANKRUPTCY COURTS  
FOR THE DISTRICT OF COLUMBIA**

*ANGELA D. CAESAR*  
*Clerk of Court*

**NOTICE OF RIGHT TO CONSENT TO TRIAL  
BEFORE A UNITED STATES MAGISTRATE JUDGE**

The substantial criminal caseload in this Court and the requirements of the criminal Speedy Trial Act frequently result in the delay in the trial of civil cases. Aware of the hardship and expense to the parties, counsel, and witnesses caused by the delays which are beyond the control of the Court, this notice is to advise you of your right to trial of your case by a United States Magistrate Judge. By statute, 28 USC §636(c), Fed.R.Civ.P. 73 and Local Civil Rule 73.1, the parties, by consent, can try their case by means of a jury trial or bench trial before a United States Magistrate Judge. Appeals from judgments and final orders are taken directly to the United States Court of Appeals for the District of Columbia Circuit, in the same manner as an appeal from a judgment of a District Judge in a civil case.

**WHAT IS THE PROCEDURE?**

One of the matters you are required to discuss at the meet-and-confer conference mandated by Local Civil Rule 16.3 is whether the case should be assigned to a United States Magistrate Judge for all purposes, including trial

All parties must consent before the case is assigned to a Magistrate Judge for trial. You may consent at any time prior to trial. If you expressly decline to consent or simply fail to consent early in the case, you are not foreclosed from consenting later in the case. However, a prompt election to proceed before a Magistrate Judge is encouraged because it will facilitate a more orderly scheduling of the case.

Counsel for the plaintiff has been furnished a copy of the "Consent to Proceed Before a United States Magistrate Judge for all Purposes" form. If and when the form is executed, your response should be made to the Clerk of the United States District Court only.

**WHAT IS THE ADVANTAGE?**

The case will be resolved sooner and less expensively. The earlier the parties consent to assigning the case to a Magistrate Judge the earlier a firm and certain trial date can be established, even if the case is to be tried to a jury.

Upon the filing of the consent form and with the approval of the District Judge, the case will be assigned to all purposes to a Magistrate Judge.